

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>SECOND AMENDMENT ARMS, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>No. 10-CV-4257</b>
	)	<b>Judge Robert M. Dow, Jr.</b>
<b>CITY OF CHICAGO, et al.,</b>	)	<b>Magistrate Judge Sheila M. Finnegan</b>
	)	
<b>Defendants.</b>	)	

**DEFENDANTS' UNOPPOSED MOTION FOR AN  
EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendants City of Chicago (the "City"), Mayor Rahm Emanuel, Superintendent of Police Garry McCarthy, and City Clerk Susana Mendoza (collectively, "Defendants"), by their counsel, Stephen R. Patton, Corporation Counsel of the City of Chicago, hereby respectfully move this Court to extend the time, to and including November 4, 2011, for Defendants to answer or otherwise plead to Plaintiffs' Second Amended Complaint. In support of their motion, Defendants state as follows:

1. By this Court's Order dated August 22, 2011, Plaintiffs were granted until September 7, 2011 to file their Second Amended Complaint, and Defendants had until September 28, 2011 to answer or otherwise plead to the Second Amended Complaint.

2. On September 23, 2011, this Court granted Defendants' motion to extend the time for them to answer or otherwise plead to Plaintiffs' Second Amended Complaint to and including October 26, 2011.

3. Defendants ask this Court to extend the time for them to answer or otherwise plead to Plaintiffs' Second Amended Complaint from October 26, 2011 to and including November 4, 2011.

4. Defendants seek the additional time to respond to Plaintiffs' Second Amended Complaint because the matters Defendants' counsel identified in their original motion for an extension of time are requiring more time than originally expected. The undersigned counsel is currently responding to a motion for summary judgment in *Hanna v. City of Chicago*, No. 06 C 19422, currently pending in the Circuit Court of Cook County, in which the plaintiff challenges the constitutional validity of the City's Landmarks Ordinance, and will have to prepare and file a reply in support the defendants' cross-motion for summary judgment by November 9, 2011. Additionally, the undersigned counsel will be absent from the office on October 7, 10, and 17-21, 2011. Defendants' other counsel have been engaged in various other pressing matters, including out-of-town expert depositions in *Pacholski, et al. v. City of Chicago, et al.*, No. 10-C-4184, currently pending before Judge Edmond E. Chang.

5. Due to the number and breadth of Plaintiffs' claims<sup>1</sup> and the schedule of Defendants' attorneys, Defendants require an additional extension of time, to and including November 4, 2011, to answer or otherwise plead to Plaintiffs' Second Amended Complaint.

6. This is Defendants' second request for an extension of time to answer or otherwise plead to Plaintiffs' Second Amended Complaint.

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<sup>1</sup> Plaintiffs' Second Amended Complaint is thirty-eight (38) pages in length and contains eighteen (18) separate counts. Plaintiffs challenge various provisions of the Responsible Gun Owners' Ordinance (the "Ordinance"), enacted by the City Council on July 2, 2010, under several provisions of the United States Constitution, including Articles I and VI and the Second and Fourteenth Amendments, as well as various provisions of Titles 15 and 18 of the United States Code. Plaintiffs also bring a federal challenge to the constitutionality of the City's now-repealed ban on the possession of handguns in the City and seek restitution for firearms that were seized by the City under the prior ban. In several other counts, Plaintiffs challenge the Ordinance under various provisions of the Illinois Constitution and ask this Court to enter a declaration of unconstitutionality and to issue a mandamus to the City to issue certain licenses. In still other counts, Plaintiffs bring state-law claims for tortious interference with prospective economic advantage and unjust enrichment. Finally, Plaintiffs bring some of their claims on behalf of not only themselves but also a putative class.

7. Defendants' counsel spoke with Plaintiffs' counsel regarding this motion, and Plaintiffs have no objection to granting Defendants an extension of time to and including November 4, 2011 to answer or otherwise plead to Plaintiffs' Second Amended Complaint.

**WHEREFORE**, for the foregoing reasons, Defendants respectfully request that the Court grant Defendants an extension of time, to and including November 4, 2011, to answer or otherwise plead to Plaintiffs' Second Amended Complaint and grant Defendants such further relief as this Court deems just and appropriate.

Date: October 6, 2011

Respectfully submitted,

STEPHEN R. PATTON,  
Corporation Counsel for the City of Chicago

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